

SENATE No. 323**The Commonwealth of Massachusetts**

PRESENTED BY:

Marc R. Pacheco*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to dementia special care units in long-term care facilities.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|----------------------|------------------------------|
| Marc R. Pacheco | First Plymouth and Bristol |
| Frank I. Smizik | 15th Norfolk |
| Martha M. Walz | 8th Suffolk |
| James J. O'Day | 14th Worcester District |
| Susan C. Tucker | Second Essex and Middlesex |
| Bruce J. Ayers | 1st Norfolk |
| Martin J. Walsh | 13th Suffolk |
| Colleen M. Garry | 36th Middlesex |
| Sarah K. Peake | 4th Barnstable |
| Kay Khan | 11th Middlesex |
| Kenneth J. Donnelly | Fourth Middlesex |
| John F. Quinn | 9th Bristol |
| Robert F. Fennell | 10th Essex |
| Stephen R. Canessa | 12th Bristol |
| Thomas P. Kennedy | Second Plymouth and Bristol |
| Anthony D. Galluccio | Middlesex, Suffolk and Essex |
| Paul McMurtry | 11th Norfolk |
| Robert J. Nyman | 5th Plymouth |
| William Lantigua | 16th Essex |

| | |
|---------------------|-----------------------------|
| Richard J. Ross | 9th Norfolk |
| Cynthia Stone Creem | First Middlesex and Norfolk |
| Ellen Story | 3rd Hampshire |
| Patricia D. Jehlen | Second Middlesex |

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. S00425 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE TO DEMENTIA SPECIAL CARE UNITS IN LONG-TERM CARE FACILITIES.

Whereas, The deferred operation for this act would tend to defeat its purpose, which is forthwith to provide regulations for dementia special care units in long-term care facilities, therefore, given the increase level of dementia among residents, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after
2 section 71B the following section:-
- 3 Section 71C. (a) A licensee under section 71 that holds itself out to the public or advertises that it
4 is a provider of specialized services and programming for dementia special care units in long-
5 term care facilities must meet the criteria set forth under this section in order to provide said
6 services.
- 7 (b) Notwithstanding any general or special law to the contrary, the department of public health,
8 in consultation with the Alzheimer's Association of Massachusetts and representatives from the

nursing home provider community, shall adopt regulations to establish minimum standards for dementia special care units to ensure safety and quality of services including:

- Dementia-specific training for all direct care workers in nursing homes in both traditional and dementia special care units (SCUs).
- Activities programs in SCUs that provide dementia-specific activities.
- Guidelines for SCU physical design including but not limited to anti-wandering methods and a therapeutic environment.
- Nursing homes that operate SCUs must disclose to consumers and the Massachusetts Department of Public health what specialized services the SCU provides for patients affected by Alzheimer's and related dementias.

SECTION 2. The department of public health shall adopt its initial regulations to implement this act not later than January 1, 2010.